

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

APPEAL FROM ORDER No 258 of 2002

with

CIVIL APPLICATION No 4111 of 2002

For Approval and Signature:

HON'BLE MR.JUSTICE K.S.JHAVERI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
 5. Whether it is to be circulated to the concerned Magistrate/Magistrates, Judge/Judges, Tribunal/Tribunals? : NO

NATVARLAL CHHAGANLAL PUROHIT

Versus

HASMUKHRAI LAXMISHANKAR BHATT

Appearance:

1. Appeal from Order No. 258 of 2002
MR SURESH M SHAH for Appellant No.
MR MEHUL S SHAH for Appellant No.
RULE SERVED for Respondent No. 1
MR MUKESH PATEL AGP for Respondent No. 2-5
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CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 19/01/2005

ORAL JUDGEMENT

1. The appellant has preferred this appeal from order against the order dated 29/05/2002 passed by the learned Civil Judge (S.D.), Veraval below application Exh.5 in Special Civil Suit No.70 of 1998, whereby the said application was rejected and status quo order granted on 25/09/1998 was vacated.

2. While admitting this Appeal from Order, this Court in Civil Application No.4111 of 2002 had stayed the operation and implementation of the impugned order. Now, as status quo is operating since 25/09/1998, it would be appropriate to direct the parties to maintain status quo till the suit pending before the said Court is finally disposed of.

3. I have heard learned counsel for the parties and have perused the relevant documents on record. In view of the facts and circumstances of the case, I am of the opinion that ends of justice would be met if the trial Court is directed to expedite the hearing of the said suit.

4. Therefore, without entering into the merits of the matter, the trial Court is directed to hear and dispose of Special Civil Suit No.70 of 1998 pending before the Court of the learned Civil Judge (S.D.), Veraval as expeditiously as possible and preferably within a period of one year from the date of receipt of writ of this order.

5. With the above observations and directions, the Appeal from Order stands disposed of. Parties are finally disposed of. Office is directed to send writ forthwith.

CIVIL APPLICATION No 4111 of 2002

In view of the order passed in the appeal from order no orders are necessary in this civil application. Hence, it stands disposed of. Rule is made absolute accordingly.

[K. S. JHAVERI, J.]
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